

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAZZLE SOFTWARE II, LLC, and
L AND L GOLD ASSOCIATES, INC.,

Plaintiffs,
v.
Case No. 16-cv-12191
Hon. Matthew F. Leitman

JOHN KINNEY, and
CENTRAL OHIO SCRAP METAL CO.,

Defendants.

**ORDER GRANTING MOTION TO DISMISS CLAIM UNDER THE
DEFEND TRADE SECRETS ACT OF 2016 (ECF #14)**

On August 22, 2016, the Court heard argument on Defendants' motion to dismiss Count IV of Plaintiffs' Complaint which alleges a violation of the Defend Trade Secrets Act of 2016 ("DTSA") (the "Motion"). (*See* ECF #14.) For the reasons stated on the record at the hearing, the Motion is **GRANTED** and Count IV of Plaintiffs' Complaint is **DISMISSED**. However, Plaintiffs may seek leave to amend their Complaint to re-assert a claim for violation of the DTSA after conducting some discovery concerning Defendants' conduct following the effective date of the DTSA. As the Court indicated on the record, if Plaintiffs seek to re-assert a DTSA claim, Plaintiffs shall plead with specificity any alleged conduct by Defendants post-dating the effective date of the DTSA that, according

to Plaintiffs, constitutes a violation of the DTSA or otherwise makes the DTSA applicable to Defendants.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: August 22, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 22, 2016, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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